

03-08-04

Docket No: AM100636  
PatentIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of Application of: Lee D. Jennings et al.  
Application No.: 10/730,951 Group Art No.:  
Filed: December 9, 2003 Examiner:  
For: Substituted 3-Alkyl and 3-Arylalkyl 1H-Indole-1yl Acetic Acid  
Derivatives as Inhibitors of Plasminogen Activator Inhibitor-1 (PAI-1)  
Confirmation No.:  
Customer Number: 25291

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT1. Preliminary Statements

In accordance with 37 CFR 1.97 and 1.98, Applicants submit herewith patents, publications, or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56. This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) the information is material to the examination of this application; (iii) additional information material to the examination of this application does not exist; (iv) the information, protocols, results and the like reported by third parties are accurate or enabling; or (v) the information constitutes prior art to the subject invention.

**CERTIFICATE OF MAILING 37 CFR §1.10**

I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date written below in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EU94781435US addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

3-5-04  
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*John A. Barker*  
John R. Barker

2. Identification of Time of Filing

This Information Disclosure Statement

- a. ☒ is filed within three months of the filing date of the application.
- b. ☐ is filed before the mailing date of a first Office Action on the merits.
- c. ☐ is filed before the mailing date of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.
- d. ☐ is filed after the period specified in 2(a), 2(b) or 2(c) above, but before the mailing date of a final action under 37 CFR 1.311. This statement includes a certification under 37 CFR 1.97(e) or the fee set forth in 37 CFR 1.17(p).
- e. ☐ is filed after the mailing date of a final action or Notice of Allowance but before payment of the issue fee. This statement includes (i) a certification under 37 CFR 1.97(e), and (ii) the fee set forth in 37 CFR 1.17(p).

3. ☐ Certification under 37 CFR 1.97(e) and 1.704(d)  
The undersigned attorney certifies

- a. ☐ that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement, or
- b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the statement.
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☒ Newly Cited Information

A legible copy of the patents, publications or other information cited on the attached form PTO 1449 is enclosed, except that no copy of a pending U.S. application is enclosed, and if this patent application was filed or entered the national stage after June 30, 2003, no copy of a U.S. patent or U.S. patent application publication is enclosed.

☐ Previously Cited Information

No copy of the patents, publications or other information cited on the attached form PTO-1449 is enclosed because it has been previously cited by or submitted to the Office in a prior application which is relied upon for an earlier filing date under 35 USC 120.

Prior application is Application Number \_\_\_\_\_, filed on \_\_\_\_\_ of \_\_\_\_\_ for \_\_\_\_\_

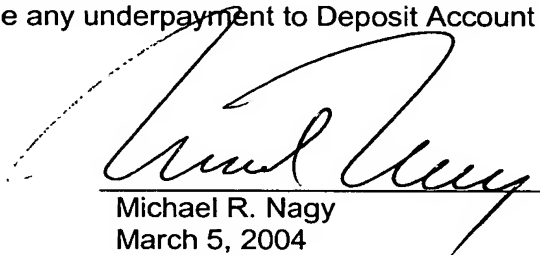
- ☐ Concise Explanation  
Documents cited above which are not in the English Language
- a. ☐ have been explained in the specification.
- b. ☐ have an abstract (or other concise explanation) in English enclosed or if readily available a translation into English of the document is enclosed.

Form PTO-1449 is enclosed in duplicate.

- ☐ Fees
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			Complete if Known		
			Application Number	10/730,951	
			Filing Date	December 9, 2003	
			First Named Inventor	Lee D. Jennings	
			Group Art Unit		
			Examiner Name		
			Attorney Docket Number	AM100636	
Sheet	1	of	1		

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number (If known)	Kind Code (If Known)			
	1.	5,612,360		Donald B. Boyd et al.	03-18-1997	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office	Number	Kind Code (If Known)				
	2.	EP	0 655 439	A2	Michael L. Denney et al.	05-31-1995		<input type="checkbox"/>
	3.	WO	97/48697		Paul J. Cox et al.	12-24-1997		<input type="checkbox"/>
	4.	WO	99/43654		Jasbir S. Seehra et al.	09-02-1999		<input type="checkbox"/>
	5.	WO	99/50268		Michael L. Jones et al.	10-07-1999		<input type="checkbox"/>
	6.	WO	00/32180		Janet Sredy	06-08-2000		<input type="checkbox"/>

OTHER PRIOR ART — NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
	7.	Chitra KIRSHNAMURTI et al., Blood, March 1987, 798-803, 69(3)	<input type="checkbox"/>
	8.	Christopher F. REILLY et al., Arteriosclerosis and Thrombosis, Sept./Oct. 1991, 1276-1286, 11(5)	<input type="checkbox"/>
	9.	Peter CARMELIET et al., J. Clin. Investigations, 1993, 2756-2760, 92	<input type="checkbox"/>
	10.	E. ROCHA et al., Fibrinolysis, 1994, 294-303, 8	<input type="checkbox"/>
	11.	Justa AZNAR et al., Haemostasis, 1994, 243-251, 24	<input type="checkbox"/>
	12.	B.J. BIEMOND et al., Circulation, 1995, 1175-1181, 91(4)	<input type="checkbox"/>
	13.	Marcel LEVI et al., Circulation, January 1992, 305-312, 85(1)	<input type="checkbox"/>
	14.	Thomas K. NORDT et al., J. Clin. Endocrinology and Metabolism, 2000, 1563-1568, 85(4)	<input type="checkbox"/>
	15.	E. DACI et al., J. Bone and Mineral Research, 2000, 1510-1516, 15(8)	<input type="checkbox"/>

Examiner Signature	Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.